

and citizens who have previously expressed interest in this proposal. A series of public information meetings and a public hearing will be held. Public notice will be given of the time and place of these meetings and hearing. The Draft EIS will be available for public and agency review and comment. No formal National Environmental Policy Act scoping meeting is planned at this time.

A Public Information Meeting will be held at the town of Colonie's Operations Center on July 30, 1997 from 2 p.m. to 8 p.m.

To ensure that the full range of issues related to this proposed action are addressed and all significant issues identified, comments and suggestions are invited from all interested parties. Comments or questions concerning this proposed action and the EIS should be directed to the NYSDOT or FHWA at the addresses provided above.

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Research, Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on federal programs and activities apply to this program)

Issued on: June 18, 1997.

Harold J. Brown,

Division Administrator, Federal Highway Administration, Albany, New York.

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DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

Petition for Waivers of Compliance

In accordance with Part 211 of Title 49 Code of Federal Regulations (CFR), notice is hereby given that the Federal Railroad Administration (FRA) has received requests for waivers of compliance with certain requirements of its safety standards. The individual petitions are described below, including the party seeking relief, the regulatory provisions involved, the nature of the relief being requested and the petitioner's arguments in favor of relief.

Union Pacific Railroad Company, Southern Pacific Transportation Company, St. Louis Southwestern Railway Company, SPCSL Corp. and The Denver & Rio Grande Western Railroad Company (Waiver Petition Docket Number PB-97-5)

The above railroads, hereinafter referred to as the Union Pacific, seek a temporary waiver of compliance with certain sections of 49 CFR Part 232,

Railroad Power Brakes and Drawbars, governing two-way end-of-train devices. The Union Pacific is requesting a temporary waiver, not to exceed six months, or until December 30, 1997, of the requirement for all trains to be equipped with two-way end-of-train devices.

The Union Pacific ordered two-way end-of-train devices, including 700 devices from Union Switch and Signal (US&S). The railroad states that due to technical design difficulties with the US&S device, the US&S devices will not be available prior to July 1, 1997. Union Pacific also indicates that it had ordered 200 devices from Pulse for July and August delivery. Union Pacific indicates that it has now ordered four hundred additional devices from Pulse but these devices will not be available until October at the earliest. The Union Pacific states that, realizing the need to give priority to operations in mountain grade territory, it proposes to deploy adequate two-way end-of-train devices to provide full two-way end-of-train devices operations west of North Platte, Nebraska; Pueblo, Colorado; and El Paso, Texas. This will ensure that all trains operating in mountain grade territory will be equipped with the two-way end-of-train devices. For trains operating east of these points, where mountain grade is not a factor, the Union Pacific requests a waiver of the requirement to limit trains without two-way end-of-train devices to 30 mph for a period not to exceed six months, or until December 30, 1997. Union Pacific asserts that the waiver will allow time to obtain the additional number of two-way end-of-train devices needed to support the operations while minimizing the negative impact on operations.

Canadian National Railways (CN) (Waiver Petition Docket Number PB-97-4)

The CN seeks a temporary waiver of compliance from certain sections of 49 CFR Part 232, Railroad Power Brakes and Drawbars, governing two-way end-of-train devices. The CN is requesting a temporary waiver, not to exceed 6 months, or until January 1, 1998, of the requirement that all trains be equipped with two-way end-of-train devices while operating in the United States.

The CN ordered 150 rear end equipment in October 1996, and 200 head end equipment in December, 1996. CN states that, due to demand for the two-way end-of-train devices, the manufacturer cannot make delivery until the middle of July; testing of the equipment would delay its deployment

until September 1, 1997. The head end equipment is not expected to be received until the end of September 1997, and installation not completed until the end of December 1997.

Due to the short time frame before the subject regulations become effective, FRA is initiating an expedited comment period for these waiver requests. Therefore, interested parties are invited to participate in these proceedings by submitting written views, data, or comments to the Docket Clerk, Office of Chief Counsel, Federal Railroad Administration, Nassif Building, 400 Seventh Street, S.W., Washington, D.C. 20590. Communications received by July 3, 1997 will be considered by FRA before final action is taken. Comments received after that date will be considered to the extent possible. *To provide as much time as possible within this expedited time frame, interested parties may file their comments by fax to the FRA Docket Clerk at 202-632-3709.* FRA does not anticipate holding a public hearing in connection with these proceedings since the facts do not appear to warrant a hearing. However, if any interested party desires an opportunity for oral comment, they should notify FRA, in writing, or by fax at the above number before the end of the comment period and specify the basis for their request.

If a hearing is held, it will be held at 9:30 a.m. on Friday, July 11, 1997 at the Department of Transportation headquarters building (Nassif Building), Room 8236, 400 Seventh Street, S.W., Washington, D.C. 20590. Interested parties may call the FRA Docket Clerk at 202-632-3198 for information regarding the hearing. FRA will make every effort to provide actual notice to all parties who have shown an interest in this proceeding.

All communications concerning these proceedings should identify the appropriate docket number (e.g., Waiver Petition Docket Numbers PB-97-4 and PB-97-5). All written communications concerning these proceedings are available for examination during regular business hours (9 a.m. to 4 p.m.) at FRA's temporary docket room located at 1120 Vermont Avenue, N.W., in Room 7051, Washington, D.C.

Issued in Washington, D.C. on June 24, 1997.

Jolene M. Molitoris,

Federal Railroad Administrator.

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